

# Union Calendar No. 19

105TH CONGRESS  
1ST SESSION

# H. R. 924

[Report No. 105-28]

To amend title 18, United States Code, to give further assurance to the right of victims of crime to attend and observe the trials of those accused of the crime.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1997

Mr. McCOLLUM (for himself, Mr. SCHUMER, and Mr. LUCAS of Oklahoma) introduced the following bill; which was referred to the Committee on the Judiciary

MARCH 17, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## A BILL

To amend title 18, United States Code, to give further assurance to the right of victims of crime to attend and observe the trials of those accused of the crime.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Victim Allocation Clar-  
3 ification Act of 1997”.

4 **SEC. 2. RIGHTS OF VICTIMS TO ATTEND AND OBSERVE**  
5 **TRIAL.**

6 (a) **IN GENERAL.**—Chapter 223 of title 18, United  
7 States Code, is amended by adding at the end the follow-  
8 ing:

9 **“§ 3510. Rights of victims to attend and observe trial**

10 “A United States district court shall not order any  
11 victim of an offense excluded from the trial of a defendant  
12 accused of that offense because such victim may or will—

13 “(1) exercise the right to make a statement or  
14 present any information in relation to the sentence  
15 at the imposition of sentence; or

16 “(2) testify as to the effect of the offense on  
17 the victim and the victim’s family.”.

18 (b) **CLERICAL AMENDMENT.**—The table of sections  
19 at the beginning of chapter 223 of title 18, United States  
20 Code, is amended by adding at the end the following new  
21 item:

“3510. Rights of victims to attend and observe trial.”.

22 (c) **EFFECT ON PENDING CASES.**—The amendments  
23 made by this section shall apply in cases pending on the  
24 date of the enactment of this Act.

1 **SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “Victim Allocation Clari-*  
 3 *fication Act of 1997”.*

4 **SEC. 2. RIGHTS OF VICTIMS TO ATTEND AND OBSERVE**  
 5 **TRIAL.**

6       (a) *IN GENERAL.*—Chapter 223 of title 18, United  
 7 States Code, is amended by adding at the end the following:

8 **“§3510. Rights of victims to attend and observe trial**

9       *“A United States district court shall not order any vic-*  
 10 *tim of an offense excluded from the trial of a defendant ac-*  
 11 *cused of that offense because such victim may or will, dur-*  
 12 *ing the sentencing hearing—*

13       *“(1) exercise the right to make a statement or*  
 14 *present any information in relation to the sentence at*  
 15 *the imposition of sentence; or*

16       *“(2) testify as to the effect of the offense on the*  
 17 *victim and the victim’s family.”.*

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*“3510. Rights of victims to attend and observe trial.”.*

21       (c) *EFFECT ON PENDING CASES.*—The amendments  
 22 made by this section shall apply in cases pending on the  
 23 date of the enactment of this Act.

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